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IN THE U.S. PATENT AND TRADEMARK OFFICE

Inventor Peter REINDERS

Patent App. 10/801,882

Filed 16 March 2004

Conf. No. 4474

For TRANSVERSELY CUTTING AND CONVEYING A WEB

Art Unit 3724

Examiner Hamilton, I

Hon. Commissioner of Patents

Box 1451

Alexandria, VA 22313-1451

FIRST AMENDMENT

This is in response to the Office Action mailed
18 May 2005.

Applicant herewith elects the method of claims 1 to 10,
with traverse.

The examiner is respectfully requested to reconsider and
withdraw the restriction requirement for the following reasons:

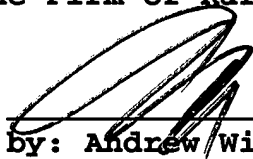
1. The method and apparatus claims are of essentially
identical scope and cover essentially the same invention. It is
illogical that two separate applications are needed for the same
invention.

2. The fact that the vagaries of the patent-classification system put the method and apparatus in different classes does not really mean that restriction is required. It might be a little more work to search two different classes, but here there is basically one invention so one patent application is appropriate.

3. The argument that, since a step of the method can be carried out by hand precludes "control means" is specious. There is nothing to say that a control means cannot have a manual aspect. This is like saying that the apparatus could be used as a mooring block, so it is distinguishable from the method.

In sum, since the method and apparatus claims are just different ways of describing a common method, restriction is inappropriate.

Respectfully submitted,
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